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PTO/SB/05 (08/00)

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# **UTILITY PATENT APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

17616-856

First Inventor or Application Identifier

Sharkey, et al.

Title

Method of Treating Intervertebral Disc Tissue Employing Attachment Mechanism

Express Mail Label No.

EL 713 754 486 US

PTO 09/08/05

06/19/00

## **APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification [Total Pages 37]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed-Sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Detailed Description of the Drawings
  - Detailed Description
  - Claim(s)
4. ☒ Drawing(s) (37CFR 1.152) [Total Sheets 24]
5. ☐ Oath or Declaration [Total Pages 1]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ Microfiche Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## **ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS Citations Statement (IDS) PTO-1449
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Other: Statement Under 37 C.F.R. §1.10

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/792,628.

Prior application information: Examiner Not Yet Assigned

Group/Art Unit: Not Yet Assigned

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## **18. CORRESPONDENCE ADDRESS**

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Registration No. (Attorney/Agent)

38,362

Signature

*David J. Weitz*

Date

June 18, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Hugh Sharkey, et al. ) Group Art Unit: Not Yet Assigned  
Application No. Not Yet Assigned ) Examiner: Not Yet Assigned  
Filed: Herewith )  
For: METHOD OF TREATING )  
INTERVERTEBRAL DISC TISSUE )  
EMPLOYING ATTACHMENT )  
MECHANISM )

**STATEMENT UNDER 37 C.F.R. 1.10**

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Sir:

I hereby certify that the attached patent application is being deposited with sufficient postage with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Express Mail Label No. EL 713 754 865 US, on June 18, 2001 addressed to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Date: June 18, 2001 By: David J. Weitz

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